

Readopt with amendment Interim Rule Pari 1200, effective 7-25-06 (Doc. #8691), to read as follows:

CHAPTER Pari 1200 RULES OF GAMES OF CHANCE

Statutory Authority: RSA 284:12, X; RSA 287-D:1-b

PART Pari 1201 PURPOSE AND SCOPE

Pari 1201.01 Purpose. The purpose of this chapter is to establish requirements for games of chance pursuant to RSA 287-D:1 through RSA 287-D:9.

Pari 1201.02 Scope. This chapter shall apply to:

- (a) Charitable organizations which hold games of chance;
- (b) Game operators;
- (c) Games of chance facilities; and
- (d) Property owners of locations where games of chance are held.

PART Pari 1202 GAMES OF CHANCE DEFINITIONS

Pari 1202.01 “Game date” means a series of games played on a specified date.

Pari 1202.02 “Games of chance” means “games of chance” as defined in RSA 287-D:1 II.

Pari 1202.03 “House rules” means instructions describing how games of chance are conducted, played and won adopted by a charitable organization pursuant to Pari 1209.

Pari 1202.04 “Initial application” means:

- (a) The first time that a charitable organization submits a games of chance license application to the commission;
- (b) A games of chance license application from a charitable organization whose previous license has been expired for more than 1 year; or
- (c) A games of chance license application from a charitable organization one year or more after the organization’s games of license was revoked pursuant to Pari 1216.02.

Pari 1202.05 “Renewal application” means an application by a charitable organization which is not an initial application.

PART Pari 1203 PROPERTY PERMISSION FORM FOR GAMES OF CHANCE

Pari 1203.01 Written Permission Required. Prior to submitting an application for a games of chance license pursuant to this chapter, the applicant shall obtain written permission, using the form required by Pari 1203.02, from the property owner where the games of chance will be held as specified in RSA 287-D:2, II.

Pari 1203.02 Property Owner Permission Form for Games of Chance.

(a) An applicant for a games of chance license shall submit to the commission a “Property Owner Permission Form”.

(b) The property owner shall:

- (1) Provide the owner’s name, in print;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I grant permission to the charitable organization named above, if issued a current license by the Commission, to hold games of chance at the property location specified above. This permission cannot be transferred to any other charitable organization and is no longer valid if the charitable organization’s games of chance license expires or is revoked by the Commission.”; and

- (4) Pursuant to RSA 287-D:2, II, have the document acknowledged by a notary public or justice of the peace.

PART Pari 1204 APPLICATION PROCEDURES FOR A GAMES OF CHANCE LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1204.01 Application Procedures for a Games of Chance License for a Charitable Organization.

(a) Prior to holding a game(s) of chance, a charitable organization shall:

- (1) Apply to the commission for a games of chance license; and
- (2) Be issued a games of chance license by the commission.

(b) Each applicant for a games of chance license shall submit the following to the commission:

- (1) A fully executed “Property Owner Permission Form” as required by Pari 1203.02;

- (2) A fully executed application form as required by Pari 1205.01;
- (3) The supporting documentation specified in Pari 1205.02;
- (4) A completed data verification form as required by Pari 1206.01, if required; and
- (5) A fee as specified in RSA 287-D:2-d, I.

(c) If the commission, for the purpose of determining the applicant's qualifications for licensure, determines that any information or documents specified in (b) above were not submitted or fully completed by the applicant, the commission shall:

- (1) Notify the applicant in writing or by telephone within 5 days of the date the application is received by the commission; and
- (2) Specify the information or documents which the applicant is required to submit or complete.

(d) If required pursuant to (c) above, the applicant shall submit any information or documents requested by the commission within 5 days of receipt of the request.

(e) The commission shall approve or deny the application in writing within 60 days of the date that:

- (1) The application is received by the commission; or
- (2) If information or documents are required pursuant to (c), the information or documents are received by the commission from the applicant.

(f) The commission shall approve the application and issue a license if the applicant has:

- (1) Complied with the application procedure as specified in this part;
- (2) Complied with the requirements specified in Pari 1203, 1205 and 1206; and
- (3) Met the qualifications for licensure as specified in RSA 287-D:2-a, RSA 287-D:2-d or RSA 287-D:8.

(g) The commission shall deny the application if the applicant has:

- (1) Not complied with the application procedure as specified in this part;
- (2) Not complied with the requirements in Pari 1203, 1205 or 1206; or

(3) Not met the qualifications for licensure specified in RSA 287-D:2-a, RSA 287-D:2-d or RSA 287-D:8.

(h) If the commission denies an application, the commission's written notification pursuant to (e) above shall specify the reason(s) for denial.

(i) The applicant may request a hearing to appeal the denial as specified in RSA 287-D:7.

Pari 1204.02 Expiration of a Games of Chance License for a Charitable Organization.

(a) A games of chance license for a charitable organization issued pursuant to this chapter shall expire on December 31.

(b) A charitable organization shall not hold any games of chance if its license has:

- (1) Expired as specified in (a) above;
- (2) Been suspended as specified in Pari 1216.01;
- (3) Been revoked as specified in Pari 1216.02; or
- (4) Been denied pursuant to Pari 1204.01(g).

PART Pari 1205 INITIAL APPLICATION FOR A GAMES OF CHANCE LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1205.01 Initial Application for a Games of Chance License for a Charitable Organization.

(a) A charitable organization shall submit to the commission a fully completed "Initial Application for a Games of Chance License" form, provided by the commission, which:

- (1) Relates to games of chance which will take place on specified dates during a yearly period beginning on the first day of the first month during which games of chance will be held and ending on December 31;
- (2) Is signed under oath by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (3) Pursuant to RSA 287-D:2-a, IV, is received at the commission at least 60 days prior to the first game date of the month for which the license has been requested.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

(1) Provide the person's name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

"I certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only game operators licensed pursuant to Pari 1214 or bona fide members of the charitable organization will operate games of chance, neither the applicant nor any member of the charitable organization operating the games of chance has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant, any member of the organization participating in the operation of games of chance and game operators licensed pursuant to Pari 1214 are aware of all statutes and rules applicable to the operation of games of chance."

(c) The charitable organization shall:

(1) Provide the date and location for at least one games of chance; and

(2) Pursuant to RSA 287-D:2-b, XIII, submit, on the form specified in Pari 1205.03, the date and location for all other games of chance at least 45 days prior to the game date if that information has not already been provided to the commission.

(d) For each game date as specified in (c) above, the charitable organization shall submit the appropriate fee as specified in RSA 287-D:2-d, I.

(e) If at any time a games of chance application is pending, or at any time a games of chance license is in effect, any of the information provided by the charitable organization on a data verification form changes, or if the information becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(f) If at any time a games of chance application is pending, or at any time a games of chance license is in effect, any of the information provided on or with an initial games of chance application under this section changes, or becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting documentation containing the correct information.

(g) Licensed charitable organizations shall maintain its IRS tax-exempt status and all other qualifications for licensure during the period of licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(h) The commission shall suspend or revoke a license if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Pari 1205.02 Supporting Documentation for an Initial Application for a Games of Chance License for a Charitable Organization.

(a) An applicant shall provide the following supporting documents with the initial application for a games of chance license for a charitable organization:

(1) A copy of either:

a. The IRS letter of determination:

1. Stating that the charitable organization is exempt from federal income tax;
 2. Granting tax exempt status to the charitable organization under 26 USC §§501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10) or 501(c)(19); and
 3. Including the charitable organization's federal tax identification number;
- or

b. If the charitable organization's exempt status is by virtue of a group exemption:

1. A copy of the IRS letter of determination to the entity with which the charitable organization is connected indicating that that entity possesses a group exemption under the authority of one of the code provisions noted in a. 2. above; and
2. A letter from the entity with which the charitable organization is connected stating that the charitable organization is covered by the group tax exemption and including its tax exemption number;

(2) A certificate from the New Hampshire secretary of state, or a copy thereof, stating:

- a. That the charitable organization is registered with the secretary of state as a nonprofit corporation; and
- b. The charitable organization's date of registration;

- (3) A certificate from the New Hampshire secretary of state, or a copy thereof, stating that the charitable organization is currently in good standing;
- (4) If the charitable organization is required to register with the director of charitable trusts under RSA 7:19 through RSA 7:32-a, a certificate from the New Hampshire department of justice, charitable trusts division, or a copy thereof, stating that the organization is so registered and is in good standing;
- (5) Documentation indicating the charitable purposes for which the charitable organization was organized, and the extent these charitable purposes have been furthered by the charitable organization within the community by goods, services or both, in the format described in (c) below;
- (6) A copy of the charitable organization's current articles of incorporation;
- (7) A copy of the bylaws of the charitable organization;
- (8) A copy of the charitable organization's current membership list including the members' name and home address, city or town and zip code;
- (9) A current list of:
 - a. The officers and directors of the charitable organization; and
 - b. Any officials of the charitable organization who are authorized to submit applications and supporting materials;
- (10) A copy of the current lease or rental agreement as specified in Pari 1215.07 between the charitable organization and the location in which games of chance will be held, if any;
- (11) The name and address of the person or business licensed pursuant to Pari 1215 from whom space is being leased or rented, if any;
- (12) A letter of intent in the format described in (c) below;
- (13) A fully executed data verification form as required by Pari 1206.01;
- (14) A game schedule as specified in Pari 1211;
- (15) A copy of the charitable organization's house rules;
- (16) The name and address of the seller, lessor or renter for any equipment that the charitable organization buys, leases or rents for a game of chance;

(17) Pursuant to RSA 287-D:2-a, II(d), a list, including name, date of birth and social security number, of all members of the charitable organization who will participate in the operation of games of chance;

(18) Pursuant to RSA 287-D:2-a, II(e), the name and address, including the street address, city or town and zip code, of any game operator licensed pursuant to this chapter who will be involved in the operation of the games of chance;

(19) A New Hampshire department of safety, division of state police, criminal record release authorization form as required by RSA 287-D:8, I for any person listed pursuant to (a)(16) or (a)(17) above; and

(20) The property owner permission form as specified in Pari 1203; and

(21) If applicable, a letter from the treasurer designating another member of the charitable organization as the person to handle all monetary transactions related to the games of chance.

(b) The documentation required under (a)(5) above shall consist of a letter from the charitable organization to the commission that:

(1) Begins with the phrase "The charitable purposes of," followed by the name of the charitable organization, the word "are" and a description of the charitable purposes of the charitable organization which:

a. Indicates the religious, civic, fraternal, veterans' or other charitable purposes of the organization, other than charitable gambling, for which the organization is organized; and

b. Describes how the purposes noted in (b)(1)a. above are furthered by activities conducted in the town or city in which the organization is organized;

(2) Bears the letterhead of the charitable organization;

(3) Is signed by an official of the charitable organization who is authorized by the organization to do so; and

(4) Bears the date that the letter was signed.

(c) The letter of intent noted in (a)(12) above shall:

(1) List the dates of activities, other than charitable gambling or activities conducted solely for the purposes of raising funds for the charitable organization:

a. Conducted by the charitable organization within the 2 year period prior to the date of the application; and

b. Which advance the charitable organization's charitable purpose; and

(2) Describe the activity conducted, including the location(s) at which the activity was conducted.

(d) The letter required under (a)(21) above shall:

(1) Include the name of the treasurer of the charitable organization;

(2) Include the name of another member of the same charitable organization who has been designated by the treasurer named in (d)(1) above;

(3) Bear the letterhead of the charitable organization;

(4) Specify the licensed game date(s) at which the person named in (d)(2) above is designated to handle all monetary transactions related to games of chance;

(5) Be signed by the treasurer named in (d)(1) above; and

(6) Bear the date that the letter was signed.

Pari 1205.03 Additional Games of Chance Game Dates for an Initial Application.

(a) As required by RSA 287-D:2-b, XIII and Pari 1205.01(d)(2), a charitable organization shall submit game dates not already included in the initial application to the commission on a "Games of Chance Game Date Information for Charitable Organizations" form.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

(1) Provide the person's name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

"I certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete."

(c) For each game date submitted, the charitable organization shall include the fee pursuant to RSA 287-D:2-d, I.

PART 1206 GAMES OF CHANCE DATA VERIFICATION FORM

Pari 1206.01 Games of Chance Data Verification Form.

(a) An applicant for a games of chance license shall submit to the commission a “Games of Chance Data Verification Form”, provided by the commission, as an attachment to their license application as required by Pari 1205.02(a)(12).

(b) The duly authorized officer, director or official who is submitting the form on behalf of the charitable organization shall:

- (1) Provide the person’s name, in print, and title or position held within the charitable organization;
- (2) Sign and date the form; and
- (3) Certify to the following statement:

“I certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete.”

PART Pari 1207 RENEWAL APPLICATION FOR A GAMES OF CHANCE LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1207.01 Renewal Application for a Games of Chance License for a Charitable Organization.

(a) An applicant for a renewal games of chance license shall submit to the commission a fully completed “Renewal Application for a Games of Chance License” form, provided by the commission, for a charitable organization which:

- (1) Relates only to games of chance which will take place on specified dates during a yearly period beginning on the first day of the first month during which games of chance will be held and ending on December 31;
- (2) Is signed by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and
- (3) Pursuant to RSA 287-D:2-a, IV, is received at the commission at least 60 days prior to the first game date of the month for which the license has been requested.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

(1) Provide the person's name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

"I certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only bona fide members of the charitable organization will operate games of chance, neither the applicant nor any member of the charitable organization operating the games of chance has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant and any member of the organization participating in the operation of games of chance are aware of all statutes and rules applicable to the operation of games of chance."

(c) The charitable organization shall:

(1) Provide the date and location for at least one games of chance; and

(2) Pursuant to RSA 287-D:2-b, XIII, submit the date and location for all other games of chance at least 45 days prior to the game date if that information has not already been provided to the commission.

(d) For each game date as specified in (d) above, the charitable organization shall submit the appropriate fee as specified in RSA 287-D:2-d, I.

(e) If at any time a renewal games of chance application is pending, or at any time a games of chance license is in effect, any of the information provided by the charitable organization on a games of chance data verification form changes, or if the information becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(f) If at any time a renewal games of chance application is pending, or at any time a games of chance license is in effect, any of the information provided on or with an initial games of chance application under this section changes, or becomes or is discovered to no longer be accurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting material containing the correct information.

(g) Licensed charitable organizations shall maintain its IRS tax-exempt status and all other qualifications for licensure during any period of renewal licensure and shall notify the commission immediately should the organization's exempt status change or be revoked or should any other qualification for licensure cease to exist.

(h) The commission shall suspend or revoke a license renewal if the charitable organization fails to maintain a tax-exempt status, or any other qualification of licensure.

Pari 1207.02 Supporting Documentation for a Renewal Application for a Games of Chance License for a Charitable Organization. The applicant shall submit to the commission the following supporting documentation with any renewal application(s) for a games of chance license for a charitable organization:

(a) If not previously submitted, a complete membership list for the charitable organization;

(b) If the charitable organization conducted games of chance in any month prior to the month for which the application is requested, any original, signed games of chance financial report, as specified in Pari 1213, for any month which has not previously been submitted and which is due or overdue;

(c) If at the time of the filing of the renewal the games of chance data verification form previously filed is not accurate or complete, a fully executed games of chance data verification form containing the information specified in Pari 1206.01;

(d) If any information appearing on an initial application form or any more recent renewal application form has changed, is no longer accurate or has been found to be no longer accurate, either:

(1) A new, signed, application or renewal form containing the corrected information, with all required attachments thereto that are subject to correction; or

(2) A written correction of that information;

(e) If any of the supporting documentation previously submitted pursuant to Pari 1205.02 or in conjunction with any more recent renewal application, including but not limited to the charitable organization's list of members has changed, is no longer accurate, is no longer effective, or has been found to be inaccurate, a corrected version of the supporting material;

(f) Pursuant to RSA 287-D:2-a, II(d), a list, including name, date of birth and social security number, of all members of the charitable organization who will participate in the operation of games of chance;

(g) Pursuant to RSA 287-D:2-a, II(e), the name and address, including the street address, city or town and zip code, of any game operator licensed pursuant to this chapter who will be involved in the operation of the games of chance;

(h) The property owner permission form as required by Pari 1203; and

(i) A New Hampshire department of safety, division of state police, criminal record release authorization form as required by RSA 287-D:8, I for any person listed pursuant to (f) or (g) above.

Pari 1207.03 Additional Games of Chance Game Dates for a Renewal License.

(a) As required by RSA 287-D:2-b, XIII and Pari 1207.01(d)(2), a charitable organization shall submit game dates not already included in the renewal application to the commission on a “Games of Chance Game Date Information for Charitable Organizations” form.

(b) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

(1) Provide the person’s name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

“I certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete.”

(c) For each game date submitted, the charitable organization shall include the fee pursuant to RSA 287-D:2-d, I.

PART Pari 1208 DISPLAY OF GAMES OF CHANCE LICENSES AND HOUSE RULES

Pari 1208.01 Display of Games of Chance Licenses and House Rules.

(a) A games of chance licensee shall prominently display the licensee’s games of chance license in the immediate area where games of chance are held.

(b) A games of chance licensee shall post with the license at least 2 copies of RSA 287-D, this chapter and any house rules as required by Pari 1209.01.

(c) A games of chance licensee shall prominently display at least 2 copies of the house rules on posters with the name of the charitable organization, the bottom edge of which shall be posted not less than 54 inches nor higher than 60 inches above the floor with print size not less than 5/8 inches nor more than 2 inches.

PART Pari 1209 GAMES OF CHANCE HOUSE RULES

Pari 1209.01 Games of Chance House Rules.

(a) A games of chance licensee shall not adopt or use any house rule that violates RSA 287-D or this chapter.

(b) A games of chance licensee shall publicly announce all house rules prior to the start of the first game of each games of chance game date.

(c) A games of chance licensee shall adopt and follow house rules that address at least the following:

- (1) The buy-in and re-buy amounts for any games of chance where the chips have no monetary value;
- (2) The contingency plan for inclement weather, power outages, equipment failure and other emergencies;
- (3) The refund policy;
- (4) The method of play, buy-in amount and re-buy amount(s) for all games of chance to be conducted;
- (5) The statutory limit per person per game as specified in RSA 287-D:2-b, XI;
- (6) The bet limit for all games;
- (7) Smoking/non-smoking policy which shall comply with RSA 155:66 through RSA 155:70;
- (8) The effective date of the house rules;
- (9) How a player can contact the commission with comments, concerns or questions;
- (10) That the games of chance will be conducted in accordance with RSA 287-D and this chapter; and
- (11) The charitable purpose(s) for which proceeds from the games of chance will be used.

PART Pari 1210 OPERATION OF GAMES OF CHANCE

Pari 1210.01 Games of Chance Operations.

(a) The charitable organization shall hold games of chance only as specified in RSA 287-D:2-b.

(b) The charitable organization shall submit to the commission a monthly financial report as required by Pari 1213 and inventory reports to verify the income and expenses reported by the charitable organization to the commission.

(c) The charitable organization shall not allow any person to participate in the operation of any games of chance unless that person has complied with RSA 287-D:2-a, VIII and RSA 287-D:2-c, III if applicable.

(d) The charitable organization shall establish written procedures for:

(1) Determining and tracking the amount that that a player has spent for buy-ins and re-buys for games of chance where the chips have no monetary value; and

(2) Keeping records, with the information specified in RSA 287-D:2-b, X for each licensed game date of all persons who participate in the operation of any games of chance to ensure compliance with (c) above.

(e) The charitable organization may amend or supplement the list of persons who will participate in any games of chances as specified in RSA 287-D:2-a, IX.

(f) The charitable organization shall submit the written procedures established pursuant to (d) above to the commission prior to the first game date of the year.

(g) All monetary transactions related to a game of chance shall be handled as specified in RSA 287-D:2-b, VII and RSA 287-D:2-b, VIII.

(h) The charitable organization or game operator shall award prizes for games or tournaments where chips have no monetary face value in accordance with a prize schedule as specified in (i) below.

(i) The prize schedule required pursuant to (h) above shall:

(1) Be either a set prize amount or a percentage of the prize pool;

(2) Be posted, in the public place where the game or tournament is being held, prior to the commencement of the game to which it applies; and

(3) Award prizes to no more than 50% of the players starting the game or tournament.

(j) At the end of a game or tournament where chips have no monetary face value, any chips held by a player not receiving a prize shall:

- (1) Have no value for any purpose;
- (2) Not be traded, bartered, used or exchanged for any purpose whatsoever; and
- (3) Not be used for play in any other game or tournament.

(k) In any game where chips have monetary value, the chips shall have a face value of no more than \$2.00.

(l) Pursuant to RSA 287-D:3, V, a single wager by a player in any game where chips have monetary value shall not exceed \$2.00.

PART Pari 1211 GAME SCHEDULE FOR GAMES OF CHANCE

Pari 1211.01 Game Schedule for Games of Chance.

(a) A charitable organization shall not play any games of chance on a licensed game date unless all games of chance to be played on that game date have been identified on a game schedule approved by the commission pursuant to this section.

(b) Each charitable organization seeking to hold a games of chance shall prepare a written game schedule request for each licensed game date containing the information specified in (c) below.

(c) A charitable organization shall submit each written request to the commission for a game schedule approval that:

- (1) Identifies the date, location and time that the charitable organization submitting the request proposes that the games of chance described will be played; and
- (2) Includes a proposed game schedule that states:
 - a. The name of the licensee or applicant for licensure that will be sponsoring the game(s);
 - b. The estimated number of players attending;
 - c. The buy-in and re-buy amounts in compliance with RSA 287-D:2-b, XI or RSA 287-D:2-b, XII for each game of chance where the chips have no monetary value;
 - d. All of the prizes, tokens or awards, including door prizes, offered; and
 - e. Whether prizes are subject to increase or decrease based on actual attendance.

(d) The charitable organization shall submit a game schedule request for each licensed games of chance game date to the commission at least 45 days before the game date identified in the game schedule request submitted to the commission.

(e) The commission shall approve a game schedule request if the games of chance contained in the request comply with the standards for games of chance set forth in RSA 287-D and this chapter.

(f) A game schedule approved under (e) above shall be posted in plain view for public inspection in the place where the games of chance will be played.

(g) The charitable organization shall not charge any amounts, by whatever name, for games where chips have no monetary value other than buy-ins and re-buys.

(h) All persons participating in games of chance shall wear an identification badge issued by the commission.

PART Pari 1212 GAMES OF CHANCE INSPECTION PROCEDURES AND FINANCIAL REQUIREMENTS

Pari 1212.01 Games of Chance Inspection Procedures.

(a) The charitable organization shall maintain records of sufficient detail to enable preparation of the monthly financial reports submitted to the commission.

(b) The charitable organization shall have all accounts and records available for inspection by the commission.

(c) The charitable organization shall allow an employee or authorized representative of the commission to enter and inspect any facility where games of chance are held for purposes of determining compliance with RSA 287-D and this chapter.

Pari 1212.02 Games of Chance Financial Requirements. Charitable organizations licensed to hold games of chance shall maintain a checking account at a financial institution with at least one office in New Hampshire for all games of chance receipts and disbursements.

PART Pari 1213 GAMES OF CHANCE FINANCIAL REPORT AND WORKSHEETS

Pari 1213.01 Games of Chance Financial Report.

(a) Pursuant to RSA 287-D:5, I, the charitable organization shall submit to the commission within 30 days of the end of each month during which games of chance are held a "Games of Chance Financial Report" for each licensed game date.

(b) The charitable organization's treasurer and chairperson shall:

- (1) Sign and date the “Games of Chance Financial Report”; and
- (2) Certify to the following statement:

“I hereby certify that the above statements and all documents contained within this report are true, accurate and correct and that there are no willful misrepresentations in or falsifications of the above statements or answers to questions.”

PART Pari 1214 GAME OPERATORS

Pari 1214.01 Game Operator License Required.

(a) Prior to any charitable organization conducting any games of chance in which a game operator is employed, the game operator shall apply to the commission for a game operator license as described in Pari 1214.04.

(b) Applicants for a game operator license shall submit an application to the commission at least 60 days prior to any game operator participating in the operation of any games of chance.

Pari 1214.02 Application Procedures for a Game Operator License.

(a) If the commission, for the purpose of determining the applicant’s qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under Pari 1214.02, the commission shall:

(1) Notify the applicant in writing or by telephone within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation pursuant to Pari 1214.04; and

(2) The license fee pursuant to RSA 287-D:2-d, III.

(d) The commission shall approve or deny the application in writing within 60 days of the date that the application is on file with the commission or the date that additional information is received by the commission from the applicant.

- (e) The commission shall approve the application and issue a license if the applicant has:
 - (1) Complied with the application process set forth in this section and Pari 1214.03; and
 - (2) Complied with the requirements specified in Pari 1214.01 through Pari 1214.07.
- (f) The commission shall deny the application if the applicant has:
 - (1) Not complied with the application process set forth in this section and Pari 1214.03; or
 - (2) Not complied with the requirements specified in Pari 1214.01 through Pari 1214.07.
- (g) If the commission denies an application, the commission's written notification pursuant to (d) above shall specify the reason(s) for denial.
- (h) The applicant may request a hearing to appeal the denial as specified in RSA 287-D:7.

Pari 1214.03 Expiration of a Game Operator License.

- (a) A license for a game operator issued pursuant to this part shall expire:
 - (1) On December 31; or
 - (2) Upon revocation of the license by the commission as specified in RSA 287-D:6 and Pari 1215.02.
- (b) A game operator shall not participate in the operation of any games of chance if the game operator's license has:
 - (1) Expired as specified in (a) above;
 - (2) Been suspended pursuant to Pari 1215.01; or
 - (3) Been denied pursuant to Pari 1214.01(f).

Pari 1214.04 Application for a Game Operator License.

- (a) For purposes of this section:
 - (1) "Primary game operator" means any consultants or any persons other than a bona fide member of the charitable organization involved in conducting, managing, supervising, directing or running the games of chance; and

(2) “Secondary game operator” means any persons other than a bona fide member of the charitable organization involved dealing, running a roulette wheel, handling chips or serving beverages or food.

(b) Each primary game operator applying for a game operator license shall submit to the commission a “Primary Game Operator Application for a Game Operator License” form.

(c) Each secondary game operator applying for a game operator license shall submit to the commission a “Secondary Game Operator Application for a Game Operator License” form provided by the commission.

(d) The applicant pursuant to (b) or (c) above shall:

- (1) Provide the applicant’s name, in print;
- (2) Sign and date the form; and
- (3) Certify to the following preprinted statement:

“I, the undersigned applicant, certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, has filed with the Pari-Mutuel Commission an “application”. In consideration of the assurance by the Commission that no vote on said “application” will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including but not limited to background, associates, and finances, the undersigned does for myself, my heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the state of New Hampshire, the Pari-Mutuel Commission, its members, agents, and employees, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of processing or investigation of or other action relating the to the undersigned’s “application”. I, the undersigned, have read this release and understand all its terms. I execute it voluntarily and with full knowledge of its significance.”

(e) The primary game operator shall:

- (1) File a fully completed license application form as required by (b) above, with the commission;
- (2) Pursuant to RSA 287-D:2-c, V, submit a bond in the amount of \$20,000 payable to the commission conditioned upon the licensee's compliance with the rules of the commission;
- (3) Submit the licensing fee specified in RSA 287-D:2-d, III;

(4) Submit a New Hampshire department of safety, division of state police, criminal record release authorization form as required by RSA 287-D:8, I for each person who will participate in the operation of any games of chance;

(5) Submit 2 photographs meeting passport standards;

(6) Submit one set of fingerprints on a form FD-258, FBI Fingerprint Card; and

(7) Meet the requirements for licensure under RSA 287-D:2-c and this part.

(f) The secondary game operator shall:

(1) File a fully completed license application form as required by (c) above, as applicable, with the commission;

(2) Pursuant to RSA 287-D:2-c, V, submit a bond in the amount of \$20,000 payable to the commission conditioned upon the licensee's compliance with the rules of the commission, unless the bond is posted by the operator's employer, if any, as part of the primary game operator application;

(3) Submit the licensing fee specified in RSA 287-D:2-d, III, unless the fee has already been paid by the operator's employer, if any, as part of the primary game operator application;

(4) Submit a New Hampshire department of safety, division of state police, criminal record release authorization form as required by RSA 287-D:8, I for each person who will participate in the operation of any games of chance;

(5) Submit 2 photographs meeting passport standards; and

(6) Meet the requirements for licensure under RSA 287-D:2-c and this part.

(g) The application form specified in (b) and (c) above shall contain the following notice regarding the requirement to provide the applicant's social security number as required by (b)(1)e. or (c)(1)e. above:

"The commission will deny your license if you refuse to submit your social security number (SSN). Your professional license will not display your SSN and your SSN will not be made available to the public.

The commission is required to obtain your SSN for the purpose of child support enforcement and in compliance with RSA 161-B:11. This collection of your SSN is mandatory."

(h) If at any time a game operator application is pending, or at any time a game operator license is in effect, any of the information provided on or with a game operator license application under this section changes, or if the information becomes or is discovered to be inaccurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected application form or provide supporting documentation containing the correct information.

PART Pari 1215 GAMES OF CHANCE FACILITY LICENSES

Pari 1215.01 Games of Chance Facility License Required.

(a) Prior to any charitable organization conducting any games of chance at a games of chance facility, the games of chance facility shall apply to the commission for a games of chance facility license as required by Pari 1215.04.

(b) Applicants for a games of chance facility license shall submit an application to the commission at least 30 days prior to any games of chance being conducted in the hall.

(c) A games of chance facility license shall be non-transferable and non-assignable.

Pari 1215.02 Application Procedures for a Games of Chance Facility License.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under Pari 1215.02, the commission shall:

(1) Notify the applicant in writing or by telephone within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation pursuant to Pari 1215.04; and

(2) The license fee pursuant to RSA 287-D:2-d, II.

(d) The commission shall approve or deny the application in writing within 15 days of the date that the application is on file with the commission or the date that additional information is received by the commission from the applicant.

(e) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application process set forth in this section and Pari 1215.03;
and

(2) Complied with the requirements specified in Pari 1215.01 through Pari 1215.07.

(f) The commission shall deny the application if the applicant has:

(1) Not complied with the application process set forth in this section and Pari 1215.03; or

(2) Not complied with the requirements specified in Pari 1215.01 through Pari 1215.07.

(g) If the commission denies an application, the commission's written notification pursuant to (d) above shall specify the reason(s) for denial.

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-D:7.

Pari 1215.03 Expiration of a Games of Chance Facility License.

(a) A license for a games of chance facility issued pursuant to this part shall expire on June 30.

(b) Games of chance shall not be conducted by any charitable organization at a games of chance facility if the facility's license has:

(1) Expired as specified in (a) above;

(2) Been suspended pursuant to Pari 1216.01;

(3) Been revoked pursuant to Pari 1216.02; or

(4) Been denied pursuant to Pari 1215.01(f).

Pari 1215.04 Application for a Games of Chance Facility License.

(a) Each applicant for a games of chance facility license shall submit to the commission an "Application for Games of Chance Facility License" form.

(b) The games of chance facility owner(s) shall:

(1) Provide the owner's name, in print;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

“I, the undersigned applicant, certify, under the penalties of false swearing pursuant to RSA 641:2 or unsworn falsification pursuant to RSA 641:3, has filed with the Pari-Mutuel Commission an “application”. In consideration of the assurance by the Commission that no vote on said “application” will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including but not limited to background, associates, and finances, the undersigned does for myself, my heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the state of New Hampshire, the Pari-Mutuel Commission, its members, agents, and employees, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of processing or investigation of or other action relating the to the undersigned’s “application”. I, the undersigned, have read this release and understand all its terms. I execute it voluntarily and with full knowledge of its significance.”

(c) Each person listed pursuant to (a)(3) and (a)(4) shall submit to the commission with the games of chance facility application a New Hampshire department of safety, division of state police, criminal record release authorization form as required by RSA 287-D:8, I.

Pari 1215.05 Games of Chance Facility License Display. Licenses to operate a games of chance facility shall be prominently displayed in the public area where the games of chance are conducted.

Pari 1215.06 Effect of a Games of Chance Facility License Revocation or Suspension. If a games of chance facility license is revoked or suspended pursuant to Pari 1216, no charitable organization shall hold games of chance at that location during the period of the revocation or suspension.

Pari 1215.07 Games of Chance Facility Rentals.

(a) The amount of the games of chance facility rental to the charitable organization shall comply with the requirements of RSA 287-D:3, VI and RSA 287-D:3, VII.

(b) The games of chance facility shall provide, as part of the hall rental fee, the following items and services to the charitable organization:

- (1) Hall space;
- (2) Tables and chairs sufficient for the conduct of the games of chance;
- (3) Heat, lights and restroom facilities sufficient for the seating capacity of the hall;

(4) Snow removal; and

(5) Trash removal and overall janitorial services sufficient to return the hall to a condition clean and proper for conducting business.

(c) No third party charges shall be assessed to any charitable organization for services set forth in (b)(1) through (b)(5) above. Participation in and charges for activities such as advertising, free offer of coffee and donuts to customers, security protection for the charitable organization itself, not security for the facility or parking area, consulting or management services, shall be at the discretion of the charitable organization. Failure to participate in these activities shall not constitute grounds for expulsion from the facility.

(d) All amended lease agreements shall be filed with the commission prior to the contract being presented to the charitable organizations for the organizations' signature. The licensee shall certify that all rental contracts comply with stipulations contained in (a) above.

(e) The games of chance facility shall:

(1) Submit all amended lease agreements to the commission prior to the agreement being presented to the charitable organizations for the organizations' signature; and

(2) Certify that all lease agreements comply with stipulations contained in (a) above.

(f) If the games of chance facility fails to submit lease agreements upon request, the commission shall not process the license application until such time as the requested information is received.

PART Pari 1216 SUSPENSION AND REVOCATION OF A GAMES OF CHANCE LICENSE

Pari 1216.01 Suspension of a Games of Chance License.

(a) Pursuant to RSA 287-D:6, III, the commission shall suspend a license issued pursuant to this chapter if a charitable organization, game operator or games of chance facility fails to comply with any requirement specified in this chapter or in RSA 287-D.

(b) If the commission intends to suspend a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, game operator or games of chance facility specifying:

(1) The reason for suspension;

(2) The action to be taken;

(3) The deadline for completing the necessary action; and

(4) That failure to complete the action as specified in (2) above within the deadline specified in (3) above may result in revocation of the license pursuant to Pari 1216.02.

(c) The licensee shall have 5 days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.

Pari 1216.02 Revocation of a Games of Chance License.

(a) Pursuant to RSA 287-D:6, III, the commission shall revoke a license issued pursuant to this chapter if a charitable organization, game operator or games of chance facility fails to comply with any requirement specified in this chapter or in RSA 287-D.

(b) If the commission intends to revoke a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, game operator or games of chance facility specifying:

(1) The reason for revocation; and

(2) The date that the revocation will be final unless a hearing is requested pursuant to (c) below.

(c) The licensee shall have 5 days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.